Congress of the United States

Washington, DC 20515

May 1, 2025

Mr. Steven A. Stebbins
Acting Inspector General
U.S. Department of Defense – Office of Inspector General
4800 Mark Center Drive
Alexandria, VA 22350-1500

Dear Mr. Stebbins,

We write to request that your office conduct a review of the Pentagon's process to award the "Golden Dome" missile defense shield contract, including any involvement by Elon Musk in that process.

President Donald Trump directed the Department of Defense (DoD) to develop "a next generation missile shield," also known as the Golden Dome, in a January 2025 executive order,[1] and experts estimate it could cost trillions.[2] Reuters recently reported that SpaceX, which was founded by Mr. Musk and where he continues to serve as CEO, is a frontrunner to win a crucial part of the contract, raising serious concerns about potential conflicts of interest in the process.[3] This same report indicated that "[o]ne of the sources familiar with the talks described them as 'a departure from the usual acquisition process. There's an attitude that the national security and defense community has to be sensitive and deferential to Elon Musk because of his role in the government.'" This is a deeply troubling report.

Mr. Musk, in addition to his role at SpaceX, is a Special Government Employee (SGE), Senior Advisor to President Trump, and a key official at the Department of Government Efficiency (DOGE). Mr. Musk's formal or informal participation in any process to award a government contract raises serious conflict of interest concerns, including the possibility that SpaceX is a top contender for the Golden Dome contract because of Mr. Musk's position in the government. As an SGE, he is subject to OGE regulations governing the conduct of executive branch employees. One of those standards, OGE regulation 5CFR § 2635.702, prohibits using public office for private gain.[4] Mr. Musk is also subject to the criminal prohibition in 18 U.S.C. § 208 against participating in a particular matter in which he has a financial interest, which carries a penalty of up to five years in prison.[5]

If Mr. Musk were to exercise improper influence over the Golden Dome contract, it would be another example of a disturbing pattern of Mr. Musk flouting conflict of interest rules. DOGE has directed cuts to agencies that regulate his companies[6] and gained sensitive data about Americans and his companies' competitors.[7] In April,

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[1] The Iron Dome for America," The White House, January 27, 2025, https://www.federalregister.gov/documents/2025/02/03/2025-02182/the-iron-dome-for-america.

[2] "Trump's 'Iron Dome' Space Weapons Plan Ignores Physics and Fiscal Reality," *Scientific American*, Feburary 19, 2025, https://www.scientificamerican.com/article/trumps-iron-dome-space-weapons-plan-ignores-physics-and-fiscal-reality/.

[3] "Exclusive: Musk's SpaceX is frontrunner to build Trump's Golden Dome missile shield," *Reuters*, April 17, 2025, https://www.reuters.com/business/aerospace-defense/musks-spacex-is-frontrunner-build-trumps-golden-dome-missile-shield-2025-04-17/.

[4] 5 CFR § 2635.702

[5] 18 U.S.C. § 216; 18 U.S.C. § 208; Office of Government Ethics, "Letter to a Designated Agency Ethics Official," August 23, 2006, https://www.oge.gov/web/oge.nsf/News+Releases/1A19064302E29310852585BA005BED0A/$FILE/06x8_.pdf.

[6] "The CFPB took aim at Big Tech. Then Elon Musk moved to dismantle it.," *The Washington Post*, February 11, 2025, https://www.washingtonpost.com/business/2025/02/11/elon-musk-doge-cfpb-regulations/.

[7] "A whistleblower's disclosure details how DOGE may have taken sensitive labor data," *NPR*, April 15, 2025, https://www.npr.org/2025/04/15/nx-s1-5355896/doge-nlrb-elon-musk-spacex-security.

the Space Force assigned lucrative contracts to Mr. Musk's SpaceX and made SpaceX the Pentagon's leading launch provider.[8] A Commerce Department broadband grant is reportedly being redesigned so Mr. Musk's company, Starlink, can receive a contract.[9] After news reports brought to light that the State Department planned to funnel a $400 million contract towards Mr. Musk's Tesla, the Trump Administration reportedly misled the public about the nature of that deal.[10]

We are also concerned that the Pentagon is reportedly considering a highly unusual "subscription model," for SpaceX services. This "subscription model" would "skirt some Pentagon procurement protocols" and give SpaceX ongoing control over a taxpayer funded system, causing DoD to be "locked into a subscription and lose control over its ongoing development and pricing."[11] The Congressional Budget Office found a similar proposal for the Air Force to lease rather than buy aircraft would cost billions more.[12] A subscription model would also give Mr. Musk unacceptable ongoing leverage over United States national security. Mr. Musk could, as he allegedly did in Ukraine,[13] determine when to provide the U.S. government with access to Golden Dome satellite systems.

Reporting indicates the administration would like to move on an accelerated timeline to develop the Golden Dome, which could advantage Mr. Musk's companies and could result in a faulty end product that wastes billions of dollars and leaves our country with a false sense of security.[14] Experts have raised serious concerns about the feasibility of creating an effective Golden Dome system, especially on an accelerated timeline.[15] Acting DoD official Steven J. Morani called it a "monster systems engineering problem"[16] and Retired Rear Adm. Mark Montgomery stated creating a ballistic missile defense system could take 7-10 years, and, even then, would have severe limitations.[17]

The exact form of the Golden Dome has not been determined, but experts estimate a ballistic missile defense system of this magnitude could cost anywhere from hundreds of billions of dollars to several trillion dollars.[18] The Golden Dome contract comes at a time when the Pentagon has failed to ever pass an audit[19] and this year's

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[8] "With new contracts, SpaceX will become the US military's top launch provider," *Ars Technica*, April 4, 2025, https://arstechnica.com/space/2025/04/with-new-contracts-spacex-will-become-the-us-militarys-top-launch-provider/.

[9] "Trump's changes to a $42 Billion broadband program could be a win for Musk's Starlink," *NPR*, April 1, 2025, https://www.npr.org/2025/03/28/nx-s1-5338963/musk-starlink-broadband-commerce.

[10] "A new document undercuts Trump admin's denials about $400 million Tesla deal," *NPR*, February 24, 2025, https://www.npr.org/2025/02/24/nx-s1-5305269/tesla-state-department-elon-musk-trump.

[11] "Exclusive: Musk's SpaceX is frontrunner to build Trump's Golden Dome missile shield," *Reuters*, April 17, 2025, https://www.reuters.com/business/aerospace-defense/musks-spacex-is-frontrunner-build-trumps-golden-dome-missile-shield-2025-04-17/.

[12] "Kill the Boeing Tanker Deal," Project on Government Oversight, October 6, 2003, https://www.pogo.org/analysis/kill-boeing-tanker-deal.

[13] "Musk acknowledges he turned off Starlink internet access last year during Ukraine attack on Russia military," *The Hill*, September 8, 2023, https://thehill.com/policy/defense/4193788-musk-acknowledges-he-turned-off-starlink-internet-access-last-year-during-ukraine-attack-on-russia-military/.

[14] "Exclusive: Musk's SpaceX is frontrunner to build Trump's Golden Dome missile shield," *Reuters*, April 17, 2025, https://www.reuters.com/business/aerospace-defense/musks-spacex-is-frontrunner-build-trumps-golden-dome-missile-shield-2025-04-17/.

[15] "Saying the quiet part out loud: All that glitters is not 'Golden Dome'," Responsible Statecraft, March 28, 2025, https://responsiblestatecraft.org/golden-dome/.

[16] "DOD's Acquisition Community Already Working on Golden Dome, Big Team Effort Required," U.S. Department of Defense, March 19, 2025, https://www.defense.gov/News/News-Stories/Article/article/4127682/dods-acquisition-community-already-working-on-golden-dome-big-team-effort-requi/.

[17] "Trump wants a 'Golden Dome' capable of defending the entire US: 'Strategically, it doesn't make any sense'," *CNN*, March 22, 2025, https://www.cnn.com/2025/03/22/politics/pentagon-golden-dome-scramble/index.html.

[18] "Trump's 'Iron Dome' Space Weapons Plan Ignores Physics and Fiscal Reality," *Scientific American*, Feburary 19, 2025, https://www.scientificamerican.com/article/trumps-iron-dome-space-weapons-plan-ignores-physics-and-fiscal-reality/.

[19] "Department of Defense Completes Seventh Consecutive Department-Wide Financial Statement Audit," U.S. Department of Defense, November 15, 2024, https://www.defense.gov/News/Releases/Release/Article/3967009/department-of-defense-completes-seventh-consecutive-department-wide-financial-s/.

budget is already expected to top $1 trillion,[20] and when DOGE has taken a sledgehammer to government programs supporting Americans, and while Congressional Republicans propose cuts to Social Security and Medicaid to pay for tax cuts for billionaires.

All of this raises concerns about whether defense contracts to build a Golden Dome are an effective way to protect Americans or are meant to enrich Mr. Musk and other elites.

We ask that you immediately conduct a review of the Pentagon's handling of the process to award the Golden Dome missile defense shield contract. If you find that Mr. Musk is using his role in the federal government to secure a Golden Dome contract for SpaceX, we ask that you refer the case to the Department of Justice for a criminal investigation. Finally, we ask that you provide us with an assessment of the following:

1. An accounting of Elon Musk's — and any employees of DOGE or SpaceX — formal or informal involvement in the process of developing requirements for Golden Dome or awarding Golden Dome contracts.
2. An assessment of whether the DoD is attempting to curry favor with Mr. Musk by awarding SpaceX this contract or whether Mr. Musk had any undue influence over other elements of the procurement process.
3. An assessment of the cost and readiness risks associated with a "subscription-based" model for the Golden Dome.
4. An assessment of safety risks that could arise if the government deploys the Golden Dome on an accelerated timeline, and whether that accelerated timeline inappropriately advantages SpaceX's bid.
5. The process for estimating the costs of a Golden Dome system, program justification, and technological feasibility.

Thank you for your attention to this important matter.

Sincerely,

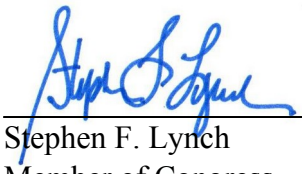
Greg Casar
Member of Congress

Elizabeth Warren
United States Senator

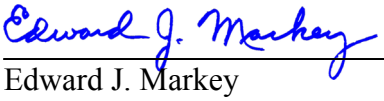
Gerald E. Connolly
Member of Congress

Tammy Duckworth
United States Senator

[20] "Trump, Hegseth promise record $1 trillion Pentagon budget," *Politico*, April 7, 2025, https://www.politico.com/news/2025/04/07/hegseth-trump-1-trillion-defense-budget-00007147.

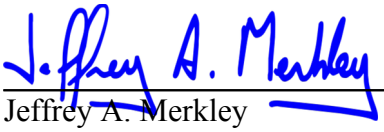


Stephen F. Lynch
Member of Congress



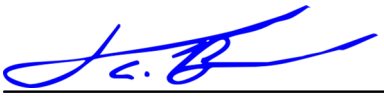
Edward J. Markey
United States Senator

Melanie Stansbury
Member of Congress

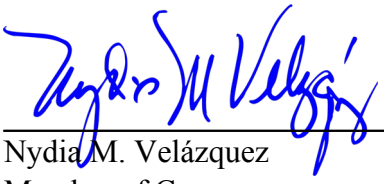


Jeffrey A. Merkley
United States Senator

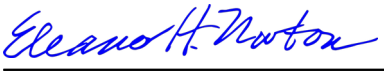
John Garamendi
Member of Congress



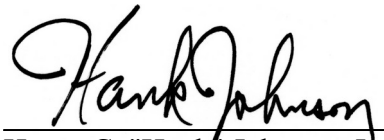
Cory A. Booker
United States Senator



Nydia M. Velázquez
Member of Congress



Eleanor Holmes Norton
Member of Congress



Henry C. "Hank" Johnson, Jr.
Member of Congress

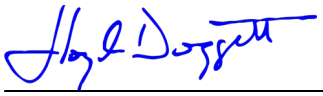
Cleo Fields
Member of Congress

Robert Garcia
Member of Congress

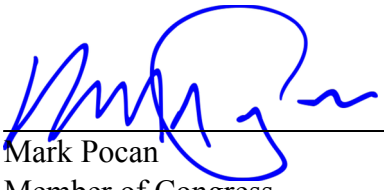
Rashida Tlaib
Member of Congress

Summer L. Lee
Member of Congress

Dave Min
Member of Congress

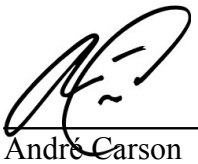


Lloyd Doggett
Member of Congress



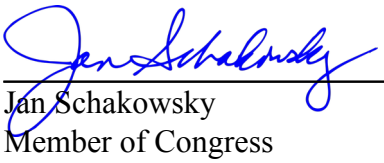
Mark Pocan
Member of Congress

Bonnie Watson Coleman
Member of Congress

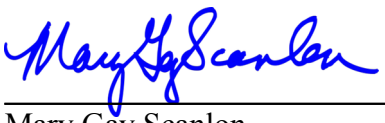


André Carson
Member of Congress

Ilhan Omar
Member of Congress



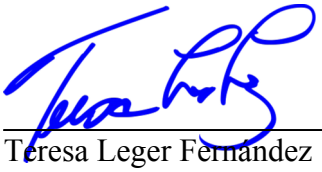
Jan Schakowsky
Member of Congress



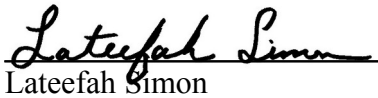
Mary Gay Scanlon
Member of Congress

James P. McGovern
Member of Congress

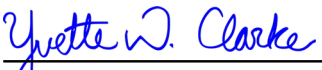
Delia C. Ramirez
Member of Congress



Teresa Leger Fernández
Member of Congress

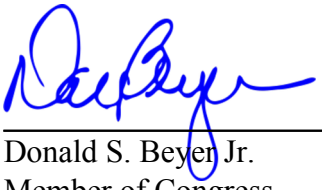


Lateefah Simon
Member of Congress



Yvette D. Clarke
Member of Congress

Maxine Dexter
Member of Congress



Donald S. Beyer Jr.
Member of Congress

Pramila Jayapal
Member of Congress

Paul D. Tonko
Member of Congress

Bill Foster
Member of Congress

Maxwell Alejandro Frost
Member of Congress

Jill Tokuda
Member of Congress

Sara Jacobs
Member of Congress

Ayanna Pressley
Member of Congress

Maxine Waters
Member of Congress

Jesús G. "Chuy" García
Member of Congress

Steve Cohen
Member of Congress

JAMES COMER, KENTUCKY
CHAIRMAN

ONE HUNDRED NINETEENTH CONGRESS

GERALD E. CONNOLLY, VIRGINIA
RANKING MINORITY MEMBER

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–6143
MAJORITY (202) 225–5074
MINORITY (202) 225–5051
https://oversight.house.gov

May 1, 2025

Mr. David Warrington
White House Counsel
Office of White House Counsel
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. Warrington,

We write regarding the scope of duties Elon Musk is undertaking as a special government employee (SGE) and the deeply alarming conflicts of interest presented by his expansive position. In an unprecedented arrangement, President Donald Trump has bestowed expansive and unlawful authority to Mr. Musk, an unelected billionaire. Mr. Musk is redirecting billions of taxpayer dollars to fund his own financial interests while slashing federal employees, programs, and services on which all Americans depend. Mr. Musk also remains in charge of a sprawling private-sector business empire that continues to rely on billions of dollars in government funding and has been charged with managing his own conflicts of interest.[1] The Trump Administration has failed to make public Mr. Musk's financial disclosure filings, hiding the true extent of his conflicts from the public. We request that you provide a copy of Mr. Musk's statutorily required financial disclosure, as well as the written determination by the official who determined Mr. Musk's various conflicts of interest were considered and deemed to be too remote or inconsequential to affect the integrity of Mr. Musk's service.

Federal financial disclosure requirements differ depending on the seniority of the employee, but generally require that government officials disclose their financial interests to "ensure confidence in the integrity of the federal government by demonstrating that they are able to carry out their duties without compromising the public trust."[2] While high-level officials are required to file public financial disclosures, certain other less-senior employees may file confidential disclosures.[3]

The law is clear that federal employees—including SGEs—may not participate in government matters in which they have a financial interest.[4] Government ethics law requires that:

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[1] *Is Elon Musk's Government Role Unconstitutional? What the Supreme Court Might Say*, ABC News (Feb. 17, 2025) (online at https://abcnews.go.com/Politics/elon-musks-government-role-unconstitutional-supreme-court/story?id=118846052*); White House Says Musk Will Police His Own Conflicts of Interest*, Bloomberg (Feb. 5, 2025) (online at www.bloomberg.com/news/articles/2025-02-05/white-house-says-musk-will-police-his-own-conflicts-of-interest).

[2] *See* e.g.: 5 U.S.C. §§ 101, 107 and 5 C.F.R. § 2634.104(a).

[3] 5 C.F.R. § 2634.104(a).

> (a) Except as permitted by subsection (b) hereof, whoever, being an officer or employee of the executive branch of the United States Government…including a special Government employee, participates personally and substantially as a Government officer or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in a judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which, to his knowledge, he, his spouse, minor child, general partner, organization in which he is serving as officer, director, trustee, general partner or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest— Shall be subject to the penalties set forth in section 216 of this title. [5]

The law allows for a waiver of this provision if the employee has made a full disclosure of the financial interest and received—in advance—a determination that the interest is either remote or insubstantial enough that it would be unlikely to affect the integrity of the employee's work.[6]

To ensure that Mr. Musk has complied with all relevant financial disclosure and conflict of interest mitigation requirements, please provide the following documents and information by May 15, 2025:

1. The legally required financial disclosure Mr. Musk submitted upon his appointment as a special government employee describing—among other items—investment and non-investment income, the source and value of gifts of more than minimal value from non-relatives, and the identity and category of assets and liabilities;[7] and

2. The legally required written determination by the official who determined Mr. Musk's various conflicts of interest were considered and deemed to be too remote or inconsequential to affect the integrity of Mr. Musk's service.[8]

Further, in recognition of Mr. Musk's elevated role in your Administration, we request that he immediately complete a public financial disclosure, as is generally required for employees occupying positions equivalent to those of a member of the Senior Executive Service.[9] This disclosure will provide important transparency to the American people about the interests of a government employee with enormous influence over the use of their tax dollars.

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[4] 18 U.S.C. § 208 (a).

[5] *Id.*

[6] 18 U.S.C. § 208 (b).

[7] As required under 5 U.S.C. §§ 101, 102.

[8] As required under 18 U.S.C. § 208(b).

[9] 5 U.S.C. § 101(f).

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. In addition, House Rule X, clause 3(i) specifically charges the Committee with conducting oversight of "the operation of Government activities at all levels, including the Executive Office of the President." If you have any questions regarding this request, please contact Committee Democratic staff at (202) 225-5051.

Thank you for your prompt attention to this request.

Sincerely,

Gerald E. Connolly
Ranking Member

Eleanor Holmes Norton
Member of Congress

Stephen F. Lynch
Member of Congress

Raja Krishnamoorthi
Member of Congress
Chairman, Subcommittee on Economic and Consumer Policy

Ro Khanna
Member of Congress

Kweisi Mfume
Member of Congress

Shontel M. Brown
Member of Congress

Melanie Stansbury
Member of Congress

Robert Garcia
Member of Congress

Maxwell A. Frost
Member of Congress

Summer L. Lee
Member of Congress

Greg Casar
Member of Congress

Jasmine Crockett
Member of Congress

Emily Randall
Member of Congress

Suhas Subramanyam
Member of Congress

Yassamin Ansari
Member of Congress

Wesley Bell
Member of Congress

Lateefah Simon
Member of Congress

Dave Min
Member of Congress

Ayanna Pressley
Member of Congress

Rashida Tlaib
Member of Congress

cc: The Honorable James Comer, Chairman